



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/977,644	11/24/1997	RALPH EMERSON	PROG.003.00U	3349

7590

05/13/2002

DAVID J. BREZNER,
FLEHR HOHBACH TEST ALBRITTON 7 herbert llp
4 embarcadero center, suite 3400
SAN FRANCISCO, CA 94111

EXAMINER

LEVY, NEIL S

ART UNIT	PAPER NUMBER
----------	--------------

1616

DATE MAILED: 05/13/2002

dd

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

22

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Receipt is acknowledged of Power of Attorney, Time and Amendment.

The reply filed on 2/14/02 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): This is a reissue; the rules are different for amendments. They are in MPEP and must be in accord with CFR 1.121(b) 2(i) (B) and (C) and CFR 1.121 (b) (2) (ii) and CFR 1.121 (b) (2) (iii). These rules have not been changed by the 9/8/00 Federal Register Vol. 65 #175 Rule Changes. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

We fail to find an oath swearing the changes were not due to deceptive intent and identifying an error.

See 1 page attached or see MPEP.

The amendment of 2/14/02 was not entered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil Levy whose telephone number is 308-2412. The examiner can normally be reached on Tuesday to Friday from 7:30 to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jose Dees, can be reached on (703) 308-4628. The fax phone number for the organization where this application or proceeding is assigned is 305-4556.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1235.

Levy:mv

May 7, 2002



NEIL S. LEVY
PRIMARY EXAMINER